

United States District Court**for the****Eastern District of Washington**FILED IN THE
U.S. DISTRICT COURT
EASTERN DISTRICT OF WASHINGTON**Jun 03, 2025**

SEAN F. McAVOY, CLERK

Petition for Warrant or Summons for Offender Under Supervision

Name of Offender: Dan Elliott Ochs

Case Number: 0980 2:11CR00026-RLP-1

Address of Offender: [REDACTED] Spokane, Washington 99202

Name of Sentencing Judicial Officer: The Honorable Wm. Fremming Nielsen, Senior U.S. District Judge

Name of Supervising Judicial Officer: The Honorable Rebecca L. Pennell, U.S. District Judge

Date of Original Sentence: October 26, 2011

Original Offense: Possession of Child Pornography, 18 U.S.C. § 2252A(a)(5)(B)

Original Sentence: Prison - 120 Months; Type of Supervision: Supervised Release
TSR - LifeRevocation Sentence: Prison - 11 Months;
(May 19, 2021) TSR - 120 MonthsRevocation Sentence: Prison - 2 Months;
(February 25, 2025) TSR - Life

Asst. U.S. Attorney: Earl Allan Hicks

Date Supervision Commenced: April 24, 2025

Defense Attorney: Lorinda Meier Youngcourt

Date Supervision Expires: Life

PETITIONING THE COURT**To issue a SUMMONS**

On April 24, 2025, Mr. Dan Ochs signed his conditions relative to case number 2:11CR00026-RLP-1, indicating that he understood all conditions as ordered by the Court.

The probation officer believes that the offender has violated the following condition(s) of supervision:

<u>Violation Number</u>	<u>Nature of Noncompliance</u>
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1	<u>Special Condition #8:</u> You must not view or possess any “visual depiction” (as defined in 18 U.S.C. § 2256), including any photograph, film, video, picture, or computer or computer-generated image or picture, whether made or produced by electronic, mechanical, or other means, of “sexually explicit conduct” (as defined in 18 U.S.C. § 2256).
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Supporting Evidence: Mr. Ochs is alleged to have violated special condition number 8 by possessing and viewing animated images containing sexually explicit conduct occurring between the dates of May 23 and 24, 2025.

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Specifically, on May 24, 2025, the undersigned officer received automated notification from the subject's installed monitoring software that he had accessed a manga (a form of narrated comic book art) website known to the undersigned officer to contain sexually explicit content.

On May 28, 2025, Mr. Ochs reported to the U.S. Probation Office in Spokane as directed to allow for further investigation of his conduct. A search of Mr. Ochs' cellular device was conducted and the undersigned officer's investigation confirmed that the subject had accessed sexually explicit manga material using his authorized cell phone. Mr. Ochs initially indicated he had clicked on an ad and had incidentally viewed the content in question, after which he immediately left the website and blocked the content; however, this statement was not supported by his reviewed Internet browsing history. Mr. Ochs' browsing history revealed his having accessed the website in question for at least 30 minutes, and monitoring software indicated his having accessed the website for nearly 2 hours, beginning on May 23, 2025. Mr. Ochs ultimately admitted continuing to view content contrary to his conditions, even after realizing the sexual nature of the material, although he described his viewing history as having viewed the content "off and on," clarifying that he did not view the content continuously.

Mr. Ochs was also determined to have accessed at least one video in which an adult female tried on see-through clothing, thereby rendering her naked to the viewer. Mr. Ochs denied watching the video in its entirety after he realized what the video was.

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Special Condition #4: You must not possess and/or use computers, other electronic communications or data storage devices or media, that can receive, store, or otherwise possess materials with depictions of "sexually explicit conduct" (as defined by 18 U.S.C. § 2256(2)) involving children, or "actual sexually explicit conduct" (as defined by 18 U.S.C. § 2257(h)(1)) involving adults, without the advance approval of the supervising officer.

Supporting Evidence: Mr. Ochs is alleged to have violated special condition number 4 on or about May 28 and 29, 2025, by retaining in his possession an Internet-capable cell phone, in conflict with a directive by the undersigned officer to surrender the device to residential reentry center (RRC) staff.

Specifically, on May 28, 2025, Mr. Ochs reported to the U.S. Probation Office in Spokane, and a search of his approved Internet-capable cellular device was conducted. During the search, evidence was discovered that he had accessed sexually explicit manga (a form of narrated comic book art) material online. Mr. Ochs ultimately admitted to the behavior. This concern is identified in violation number 1 of this report.

Following discovery of the content in question, and in culmination with Mr. Ochs' admission to having viewed such content, the undersigned officer advised him that the undersigned was revoking his privilege of maintaining an Internet-capable device. Mr. Ochs requested that he be able to remove his contacts from the device prior to surrendering it. The undersigned officer advised Mr. Ochs that he could work on removing his contacts from the device during his bus ride back to the Spokane RRC, where he is currently residing, which he stated his understanding, assuming his commitment that he would not view additional content contrary to his conditions, to which Mr. Ochs committed. Mr. Ochs was advised that immediately upon his arrival back at the RRC, he was to surrender the device to RRC staff,

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and he again stated his understanding. Spokane RRC staff was advised about the discovery of evidence and the plan for Mr. Ochs to surrender the device upon his return.

On May 29, 2025, at 7:02 p.m., the undersigned officer again received a monitoring notification originating from Mr. Ochs' installed monitoring software, seemingly indicating his continued use of the device contrary to officer directives. Mr. Ochs was contacted using text messaging, and he confirmed his retention of the device, indicating that he had yet to remove his contacts from the device. Mr. Ochs was again directed to surrender the device to staff, shortly after which the undersigned officer received a call from RRC staff indicating that they had taken possession of the device in question.

The U.S. Probation Office respectfully recommends the Court **issue a SUMMONS** requiring the offender to appear to answer to the allegation(s) contained in this petition.

I declare under penalty of perjury that the foregoing is true and correct.

Executed on: June 3, 2025

s/Chris Heinen

Chris Heinen
U.S. Probation Officer

THE COURT ORDERS

- ☐ No Action
- ☐ The Issuance of a Warrant
- ☒ The Issuance of a Summons
- ☐ The incorporation of the violation(s) contained in this petition with the other violations pending before the Court.
- ☐ Defendant to appear before the Judge assigned to the case.
- ☒ Defendant to appear before the Magistrate Judge.
- ☐ Other



Signature of Judicial Officer

June 3, 2025

Date